

Appl. No. : 09/828,506
Filed : April 6, 2001

REMARKS

Claims 42, 48 and 52 are amended and new Claims 59-64 are added. Claims 36-41, 43-47, 49-51 and 53-58 are unchanged. Claims 36-64 are pending. Claims 1-35 were previously canceled, where Claim 1-14 were canceled in response to a restriction requirement. Claims 36-41 were previously allowed. Applicant reserves the right to refile the canceled claims in a continuing application at a later date. Reconsideration and allowance of the claims in light of the present remarks is respectfully requested.

Discussion of the Rejections under 35 U.S.C. § 103(a)

Claims 42-51 are rejected under 35 U.S.C. § 103(a) as being obvious over Mao et al. (U.S. Patent No. 6,886,178) in view of Barton et al. (U.S. Patent No. 6,233,389). Claims 52-58 are rejected under 35 U.S.C. § 103(a) as being obvious over Barton in view of Ottesen et al. (U.S. Patent No. 5,930,493).

The Mao reference and the Barton reference are directed to MPEG-2 streams. The abstract of Mao recites: "In a broadcast digital video network, Internet HTML Web page data is formatted to fit within a standard MPEG-2 data packet structure, and multiplexed along with other MPEG-2 digital video signals for transport within a multiple channel digital video system." Figure 2 of Mao shows a protocol stack for formatting HTML within an MPEG-2 stream. Both the Barton and Mao references receive their MPEG-2 streams from a broadcast system or network – see Mao, column 5, line 66 to column 6, line 13.

Regarding independent Claims 42 and 48, the Office Action equates dynamically identifying a script associated with at least one video on a network with the MPEG-2 data stream. The script is not a MPEG-2 data stream. Applicant has amended Claims 42 and 48 to recite in part: "dynamically identifying a script associated with at least one video on a packet switched network, wherein the script comprises a software program". The script is not a MPEG-2 data stream, but comprises a software program and is associated with at least one video on a packet switched network. The Office Action states that "parsing the identified script associated with the video" corresponds to finding the HPAT (table) in Mao (column 7, line 41). Applicant respectfully submits that the HPAT in Mao is not a program and is not executable. Moreover, in Barton, the parser parses the MPEG stream looking for MPEG content and not parsing a software program. Furthermore, Applicant's claims are directed to video spidering such as for videos

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located on a packet switched network, such as the Internet for example. The Barton and Mao references receive their MPEG-2 streams from a broadcast system. Neither Mao, Barton nor their combination describe such features, and therefore Claims 42 and 48 are deemed to be allowable.

Regarding independent Claim 52, the Barton reference at column 3, lines 30-42 describes the various forms of television input streams that are the input to a television receiver. The MPEG stream discussed in Barton is representative of a particular television program, and not a script. Moreover, there is no mention made in Barton of a network (not the television “networks” of ABC, CBS, NBC, etc.). In contrast, Applicant has amended Claim 52 to recite in part: “dynamically identifying a script associated with at least one video on a network, wherein the script comprises a software program”. Barton does not operate on at least one video on a network, and does not describe a script comprising a software program.

Referring to Figure 3 and column 4, lines 24-39 of Barton in view of the Office Action (mailed on August 29, 2005) at the top of page 3, it can be seen that each of the interleaved coded audio and video segments has a time stamp so that the audio and video analog components of the television program can be recreated in the correct order. Barton (column 4) uses separate MPEG decoders for the audio and for the video. However, there is no mention by Barton that different types of decoders (e.g., a non-MPEG decoder) are used for either the video or the audio. In contrast, Applicant has amended Claim 52 to further recite in part: “executing the parsed script to identify content; grouping together differently encoded versions of the same content”. The same content has differently encoded versions, which is significantly different than assigning a monotonically increasing timestamp to a series of video segments as done by Barton. To be similar, Barton would need to use different encoder types for each single segment. Applicant discloses embodiments of different encoders in dependent Claims 56 and 57 where the variation can be by bit rate of the encoding or by video player format, respectively, for example.

Therefore, Applicant respectfully submits that the rejections over the cited references are overcome and requests the withdrawal of the claim rejections.

Dependent Claims

Claims 43-47, 49-51, and 53-58 are dependent either directly or indirectly on one of the above-discussed independent claims. Applicant respectfully submits that pursuant to 35 U.S.C. § 112, ¶4, the dependent claims incorporate by reference all the limitations of the claim to which

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they refer and include their own patentable features, and are therefore in condition for allowance. Therefore, Applicant respectfully requests the withdrawal of all claim rejections and prompt allowance of the claims.

New Claims

New dependent Claims 59-64 are added. These claims are supported by at least the description at pages 4, 11 and 15-17.

Allowed Claims

Claims 36-41 were allowed in the Office Action dated August 29, 2005.

Conclusion

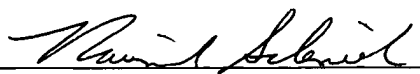
In light of the above, reconsideration and withdrawal of the outstanding rejections are specifically requested. In view of the foregoing remarks, Applicant respectfully submits that the claims of the above-identified application are in condition for allowance. However, if the Examiner finds any impediment to allowing all claims that can be resolved by telephone, the Examiner is respectfully requested to call the undersigned.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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